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BERLINER &ASSOCIATES
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 2 3 2007

DECLARATION FOR PATENT APPLICATION

As below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to my name.

We believe we are the original, first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DIAGNOSTIC AND THERAPEUTIC TREATMENTS RELATED TO MITOCHONDRIAL DISORDERS the specification of which was filed on May 12, 2004 and assigned Serial No. 10/556653

In the event that the filing date and/or Application No. are not entered above at the time we execute this document, and if such information is deemed necessary, we hereby authorize and request our attorneys/agent(s) at BERLINER & ASSOCIATES, to insert above the filing date and/or Application No. of said application.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

We acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

X no such foreign applications have been filed

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

such foreign applicat	ion have been filed as follows:	
EARLIEST FOREIGN A	APPLICATION(S), IF ANY FILED	WITHIN 12 MONTHS
(6 MONTHS FOR DESI	(GN) PRIOR TO THIS U.S. APPLI	CATION: N/A

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION: N/A

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

We hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

BERLINER &ASSOCIATES

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PAGE 03

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Attorney Docket No.: 7450-112

no s	nich U.S. provisional ap	plications have been fi	iled.
x suti	h U.S. provisional appli	cation have been filed	
	Application Number	Date of Filing	Priority Claimed Under 35 USC 119
	60/470.046	May 13, 2003	x Yes No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

We hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed.

| x | such U.S./PCT application have been filed as follows:
| PCT/US2004/014996

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

Attorney	Registration No.
Robert Berliner	20,121
Richard Tun	56,594

all of BERLINER & ASSOCIATES., jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Robert Berliner, whose address is:

Robert Berliner
BERLINER & ASSOCIATES
555 W. 5TH Street, 31st Floor
Los Angeles, CA 90013

Please direct telephone calls to: Robert Berliner at (213) 533-4171. Please direct facsimiles to: (213) 533-4171

BERLINER &ASSOCIATES

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Attorney Docket No.: LA-7450-112US

ull name of sole or first inventor	
Martha Karen NEWELL ROGERS	Date
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oxidence	
Colorado Springs, Colorado	
Hitzenship	
Mailing Address	
1420 Austin Bluffs Parkway	
SB 266 Colorado Springa, Colorado 90918	
Full name of second inventor, if my	
Elizabeth VILLALOBOS-MUNUEY	Date
Second inventor's signature	• • •
Ebrett Villal Meny	10/13/010
Ebratath Villalov ferry	
Colorado Springs, Colorado	
Citizenship	
Mailing Address	
1420 Austin Bluffs Parkway	
SB266	
Colorado Springs, Colorado 90918	
Pull name of third inventor, if any	
Robert MELAMEDE	Date
Mitted investor of granters Marely	10/11/06
Revidence	
Colorado Springs, Colorado	
Citizenship US	
Mailing Address	
1420 Austin Bluffa Parkway	,
SB266 Colorado Springs, Colorado 90918	
Colorado Springo, Colorado 3031	
Full name of fourth inventor, if enty	
Robert CAMLEY	I Die
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Robert Combay	Oct 16, 200
Colorado Springs, Colorado	
Citizenship US Maying Address	
1420 Austin Bhiffs Parkway	
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Colorado Springs, Colorado 90918	

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X n	o such foreign applications have been filed
sı	uch foreign application have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION; N/A

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 32 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION: N/A

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

We hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

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Attorney Docket No.: 7450-112

no such U.S. provisional applications have been filed.

such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed. Under 35.USC:11.9
60/470,046	May 13, 2003	x Yes No

CLAIM FOR BENEFIT OF EARLIER U.S. PCT APPLICATION(S).

We hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application, in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Pederal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

no such U.S./PCT applications have been filed. such U.S./PCT application have been filed as follows:

PCT/US2004/014996

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint:

Registration No. Attorney 20,121 Robert Berliner 56,594 Richard Tun

all of BERLINER & ASSOCIATES., jointly, and each of them severally my attorneys at law/patent agent(s), with full power of substitution, delegation and respectation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

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Robert Berliner BERLINER & ASSOCIATES 555 W. 5TH Street, 31st Floor Los Angeles, CA 90013

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	Amorney Director No.: LA-7450-112US
	A CONTRACTOR OF THE PROPERTY O
all name of sole or first inventor	·
Martha Karen NEWELL ROGERS	(Dipp
ole or first inventor's signature	- 10/17/06
martha Can Newell &	10717105
Residence	
Colorado Springs, Colorado	
Citistatip	
Mailing Address	•
1420 Austin Bluffl Parkway	•
SB 266	,
Colorado Springs, Colorado 90918	The second secon
Full name of second inventor, if any	
Elizabeth VILLALOBOS-MUNUEY	Date
Second inventor's signature	٠,٠
	·
Residence Colorado Springs, Colorado	
Citizenship	• •
Mailing Address	,
1420 Austin Bluffs Parkway	
SB266	
Colorado Springs, Colorado 90918	
Full name of third tayoutor, if any	1. P
Robert MELAMEDE	Date
Third inventor's signature	· · · · ·
Residence Colorado	
Colorado Springs, Colorado	
Citizenship US	
Mailing Address	
1420 Austin Bluffs Parkway	,
SB266 Colorado Springs, Colorado 90918	i .
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Full mane of fourth inventor, if eny	
Robert CAMLEY	
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	See See
Residence	
Colorado Springs, Colorado	
Citimenship US	,
Mulling Address	
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1420 Austin Bluffs Parkway	
SB266 Colorado Springs, Colorado 90918	•